

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSEPHINE LOGUIDICE and EMILIE
NORMAN,

Plaintiffs,

v.

GERBER LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 7:20-cv-03254-KMK

PLAINTIFFS' MOTION TO FILE UNDER SEAL

Pursuant to Your Honor's Individual Rules and Practices, Standing Order No. 19-mc-00583 and Section 6 of the Court's ECF Rules & Instructions, Plaintiffs Emilie Norman and the Estate of Josephine Logiudice, by and through counsel, seek leave to file their Replies in Support of their Motions to Strike Defendant's proposed experts pursuant to Fed. R. Evid. 702, as well as Declarations and accompanying exhibits, under seal.

While Plaintiffs disagree with the designations, the Replies and supporting documents are nearly entirely comprised of information that has been marked by Defendant as Confidential under the governing protective order in this case, such that filings must either be placed entirely under seal while the remaining filings nearly entirely contain information marked as Confidential by Defendant, determinations regarding redaction and publication cannot be reasonably made by Plaintiffs and there is good cause to place the filings entirely under seal.

For the foregoing reasons, Plaintiffs thus respectfully request the Court permit sealing of the identified filings.

Dated: March 8, 2024

Plaintiffs' and Defendant's requests to seal their papers in connection with the Motion to Certify the Class and the Motions to Strike Experts are granted. The Parties are directed to publicly file redacted versions of these papers.

The Clerk of Court is respectfully requested to terminate the Motion flags at Dkt. Nos. 199, 268, 270, 284, 298.

SO ORDERED.

3/20/2024



Respectfully submitted,

/s/ Lynn A. Toops

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*Attorneys for Plaintiffs and the
Putative Class*

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2024, I filed the foregoing with the Clerk of Court using the CM/ECF system which will send electronic notification of such filing to all counsel registered with ECF.

/s/ Lynn A. Toops
Lynn A. Toops